

4121-169

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/501098

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		INTERNATIONAL APPLICATION NO. PCT/EP02/14511	INTERNATIONAL FILING DATE 18 December 2002	PRIORITY DATE CLAIMED 7 January 2002
TITLE OF INVENTION CYTOTOXIC CYPLASIN OF THE SEA HARE, APLYSIA PUNCTATA, cDNA CLONING AND EXPRESSION OF BIOREACTIVE RECOMBINANTS				
APPLICANT(S) FOR DO/EO/US PETZELT, Christian				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).*(Unsigned)</p> <p>10. <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
Items 11. to 16. below concern other document(s) or information included:				
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input checked="" type="checkbox"/> Small entity status is claimed.</p> <p>16. <input type="checkbox"/> Other items or information:</p>				

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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$920.00				CALCULATIONS DT03 Rec'd PCT/PTO	PTO USE ONLY 07 JUL 2004
International preliminary examination fee paid to USPTO (37 CFR 1.482) \$730.00 No International preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$770.00					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1080.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	13 - 20 =		X \$18.00	\$ 0	
Independent Claims	3 - 3 =		X \$86.00	\$ 0	
Multiple dependent claim(s) (if applicable)				+ \$290.00	\$
TOTAL OF ABOVE CALCULATIONS =				920.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$ 460.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$	
TOTAL NATIONAL FEE =				\$ 460.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEE ENCLOSED =				\$ 460.00	
				Amount to be: refunded	\$
				Charged	\$

- a. A check in the amount of \$460.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3284. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not yet been met, a petition to revive (37 CFR 1.127(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Marianne Fuierer
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15541

U.S.P.T.O.

In re United States Patent Application of:

Applicant: Petzelt, Christian

Application No.: New U.S. National Stage Application
of PCT International Application No.
PCT/EP02/14511

Int'l Filing Date: 18 December 2002

Priority Date: 7 January 2002(European Patent
Application No. 02000388.5) and 4
September 2002 (European Patent
Application No. 02019914.7)Title: CYTOTOXIC CYPLASIN OF THE
SEA HARE, APLYSIA PUNCTATA,
cDNA CLONING AND
EXPRESSION OF BIOREACTIVE
RECOMBINANTS

Docket No.: 4121-169

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Customer No.:

23448

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.

L. Stephen Lockett

July 7, 2004

Date

EO 002 197 186 US
Express Mail Label Number

SUBMISSION UNDER 35 U.S.C. §371 OF UNITED STATES PATENT APPLICATION
(NATIONAL PHASE PROCEEDINGS) BASED ON INTERNATIONAL APPLICATION NO.
PCT/EP02/14511 AND CLAIMING PRIORITY OF EUROPEAN PATENT APPLICATION NOS.
02000388.5 and 02019914.7

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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DT04 Rec'd PCT/PTO 07 JUL 2004

Submitted herewith for filing under the provisions of 37 CFR §1.53 and 35 U.S.C. §371 is the above-referenced patent application, based on International Patent Application No. PCT/EP02/14511 and claiming priority of European Patent Application Nos. 02000388.5 and 02019914.7. A copy of the PCT International Application and related documents as originally filed are also included. Further included is a Preliminary Amendment, unsigned Declaration and Power of Attorney, return postcard, a check in the amount of \$460.00, and 35 U.S.C. §371 transmittal forms.

Please direct correspondence relating to this application to Steven J. Hultquist, Intellectual Property Technology Law, P.O. Box 14329, Research Triangle Park, NC 27709, and direct telephonic communications relating to this application to Marianne Fuierer at (919) 419-9350.

Respectfully submitted,



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